

Message

From: Wakefield, Benjamin J. [wakefield.benjamin@epa.gov]
Sent: 9/21/2020 7:35:43 PM
To: Friedman, Dana [Friedman.Dana@epa.gov]; Biggio, Patricia [biggio.patricia@epa.gov]; Manupella, Matthew [Manupella.Matthew@epa.gov]; Adeeb, Shanta [Adeeb.Shanta@epa.gov]; Rate, Debra [Rate.Debra@epa.gov]
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Subject: TCVP: new Petition for Review - need status update
Attachments: 20-72794_DocketEntry_09-18-2020_1.pdf

Importance: High

All,

Please see below – on Friday last week (9/18), NRDC filed a Petition for Review in the 9th Circuit Court of Appeals, seeking judicial review on the merits of EPA’s July 21, 2020 denial of NRDC’s petition to cancel pet uses of TCVP.

We won’t know NRDC’s arguments are until they file their brief. Currently, NRDC’s opening brief is due Dec. 7, 2020, and EPA’s answering brief is due Jan. 6, 2021.

Can you please let me know where things stand with the various registration actions associated with this matter? I believe that there were 9 registrations, with various label amendments, amendments to terms/conditions of registration, and/or requests for voluntary cancellation.

Thanks.

- Ben

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From: Koch, Erin <Koch.Erin@epa.gov>
Sent: Monday, September 21, 2020 3:06 PM
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Subject: New Litigation FIFRA: NRDC v. EPA, (9th Cir. No. 20-72794)

On Sept. 18, 2020, NRDC filed a petition to review the July 21, 2020 denial to their petition to cancel pet uses of TCVP. Being a petition for review, there are no details included as to which issues they may raise. EPA’s prior delay in responding to the petition had been the subject of litigation, which had culminated in an order from the 9th Circuit to issue “a full and final response [by July 21, 2020], either by denying the Petition or by initiating cancellation proceedings.” A copy of the petition for review is attached.

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